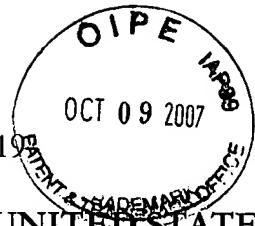


Docket No.: P-0219



AF/2623
Jew

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCE**

In re Application of

Confirmation No.: 4938

Jae Kyung LEE et al.

Group Art Unit: 2623

Serial No.: 09/840,881

Examiner: S. Beliveau

Filed: April 25, 2001

Customer No.: 34610

For: **DIGITAL TELEVISION THAT DISPLAYS FUNCTIONAL/FEATURE INFORMATION USING STORED PRODUCT AND SITE INFORMATION (As Amended)**

REPLY BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 223134

Sir:

In response to the Examiner's Answer dated August 8, 2007, appellants are filing this Reply Brief in accordance with 37 C.F.R. §41.41. Appellants maintain all the arguments made in the Appeal Brief filed May 24, 2007. However, in the interest of efficiency, appellants are providing the following additional comments in response to statements and/or arguments made in the Examiner's Answer.

M.P.E.P. §2143 states that in order to establish a *prima facie* case of obviousness, the prior art must teach or suggest all the claim limitations. Appellants maintain that Sturgeon and Wright do not teach or suggest all the limitations of at least each of independent claims 1, 10 and 20. Appellants have provided arguments in the Appeal Brief that each of Sturgeon and Wright do

not teach or suggest the specific features of each of independent claims 1, 10 and 20. See, for example, page 7 of the Appeal Brief.

More specifically, Sturgeon does not teach or suggest a controlling unit to access information from an Internet site using the stored proper information of a TV, as recited in independent claim 1. Additionally, Wright does not teach or suggest a controlling unit to access information from the Internet site using the stored proper information of the TV. Accordingly, the combination of Sturgeon and Wright does not teach or suggest the specifically claimed features of a controlling unit using stored proper information of a TV, as recited in independent claim 1.

Additionally, the combination of Sturgeon and Wright does not teach or suggest the specific features of transmitting stored proper information of the TV from the TV, where the proper information includes a model name or a model number of the TV, as recited in independent claim 10. The combination of Sturgeon and Wright also does not teach or suggest the specific features of transmitting previously-stored identifying information of a television system to a server in direct response to the received key signal, as recited in independent claim 20.

The Examiner's Answer (on page 12) states that appellants are attacking references in a piecemeal manner. However, appellants have merely shown that neither of the applied references teaches or suggests the specific features of at least each of the independent claims. Thus, the applied references as a whole do not teach or suggest the specific features of each of independent claims 1, 10 and 20. Appellants respectfully assert that the outstanding Office

Action fails to make a *prima facie* case of obviousness with respect to independent claim 1 (and each of independent claims 10 and 20) since the prior art does not teach the claimed limitations.

Additionally, Sturgeon discloses a HELP feature that may be accessed via a main menu 640 by a mouse to obtain a PC Theater's User Guide. See col. 12, lines 10-12. The PC Theater Online User's Guide may be provided for help using the system. This does not teach or suggest to access information from the Internet site using the stored proper information of the TV as appears to be alleged in the Examiner's Answer. Appellants respectfully disagree that Sturgeon teaches accessing/displaying a TV online user guide, as alleged at page 13, lines 8-10 of the Examiner's Answer. Sturgeon's HELP feature does not access specific information regarding a TV. Rather, the HELP function is merely to provide help to use the home theater system. This does not suggest accessing information from an Internet site using stored proper information of a TV, as alleged in the Examiner's Answer.

The Examiner's Answer (on page 13, second paragraph) states that appellants note that the only difference between Wright and the claims relates to an intended use of the teachings of Wright. However, appellants respectfully submit that they have not identified an intended use issue. Rather, appellants have identified specific claim language that is not taught by Wright (or Sturgeon). That is, Wright does not teach or suggest a controlling unit using stored proper information of a TV in response to a user pressing a function selection key as recited in independent claim 1. Additionally, Wright does not teach or suggest a controlling unit (further) displaying function information and feature information of the TV on a screen by using the stored contact information and the stored proper information, as recited in independent claim 1.

The Examiner's Answer (on page 14) states that one would have been motivated to use the teaching of Wright to any known device that may include the components of Wright's FIG.

2. However, appellants believe that the Examiner's Answer extends the scope of Wright's teachings to include additional features, such as those specifically recited in the claims. Appellants believe this is impermissible hindsight. That is, Wright has no teaching or suggestion regarding storing proper information of the TV (in a TV). Wright has no teaching or suggestion for a storing unit for storing proper information of the TV and contact information of an Internet site.

For at least the reasons set forth above, appellants maintain that Sturgeon and Wright do not teach or suggest the specific features of independent claim 1. Furthermore, appellants respectfully submit that Sturgeon and Wright may not be properly combined, as asserted in the Office Action. Thus, independent claim 1 defines patentable subject matter.

The Examiner's Answer does not appear to address independent claim 10. See Examiner's Answer, page 19. However, appellants maintain that Sturgeon and Wright do not teach or suggest all the limitations of independent claim 10. That is, Sturgeon and Wright, either alone or in combination, do not teach or suggest transmitting stored proper information of the TV from the TV to a product-related site by using stored contact information of the product-related site stored in the TV, wherein the proper information includes a model name or a model number of the TV. The Examiner's Answer attempts to broadly apply Wright's disclosure to show a TV and/or to a model name or a model number of a TV. However, appellants respectfully submit that Sturgeon and Wright, either alone or in combination, do not teach or

suggest these features of independent claim 10. Accordingly, independent claim 10 defines patentable subject matter.

Sturgeon and Wright, either alone or in combination, do not teach or suggest transmitting previously-stored identifying information of a television system to a server in direct response to the received key signal, the identifying information having been stored in the television system prior to receiving the key signal. That is, Sturgeon and Wright do not teach or suggest the previously-stored identifying information of a television system. Further, as is discussed in the Appeal Brief, page 20, Wright merely discloses that a customer may access a web site and choose from options on the web site relating to the product. See Wright's paragraph [0024]. Thus, Wright does not teach or suggest transmitting previously-stored identifying information in direct response to a received key signal. Sturgeon, on the other hand, merely utilizes a Help button to access a general User's Guide. Sturgeon and Wright do not teach or suggest all the features of independent claim 20. Thus, independent claim 20 defines patentable subject matter.

In view of the above and/or statements made in the Appeal Brief, it is respectfully submitted that each of claims 1-10, 12, 13, 15-18 and 20-26 defines patentable subject matter. Appellants respectfully request that the rejection of the pending claims be withdrawn and/or reversed.

Respectfully submitted,
KED & ASSOCIATES, LLP

David C. Oren
Registration No. 38,694

P. O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3777 DCO/kah
Date: October 9, 2007